

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SAMUEL L. PERKINS,)	
)	
Plaintiff,)	
)	
v.)	No. C-1-02-432
)	Judge Spiegel
INTERNATIONAL PAPER,)	
)	
Defendant.)	

JOINT MOTION TO CONTINUE STATUS CONFERENCE

COME NOW Defendant International Paper and Plaintiff Samuel L. Perkins and file this Joint Motion to continue the Status Conference scheduled for November 18, 2003 in this case. In support of this Motion, Defendant and Plaintiff state as follows:

1. On December 5, 2002, the Court entered an Order requiring that the parties participate in mediation in an effort to resolve this matter.
2. The parties participated in a mediation conducted by James A. Readey on April 11, 2003.
3. On April 28, 2003, the mediator filed the requisite report with this Court stating that no settlement agreement was reached between the parties.
4. Since that time, a scheduling order governing this case has not yet been issued by the Court.
5. The parties agreed amongst themselves to exchange Initial Disclosures under Rule 26 of the Federal Rules of Civil Procedure on July 21, 2003; however, no further discovery has been conducted.
6. The parties propose that they meet and confer pursuant to Rule 26 and submit a joint report and proposed scheduling order to this Court no later than December 15, 2003.

7. If a Status Conference is necessary for the Court to resolve any disputes in the joint report or proposed scheduling order, counsel propose the following three alternate dates for the continued Status Conference: January 2, 2004, January 5, 2004, or January 6, 2004.

WHEREFORE, Defendant and Plaintiff respectfully request that this honorable Court grant a continuance of the Status Conference to one of the alternate dates suggested herein.

Respectfully submitted, this 12th day of November 2003.

/s James A. Whitaker by Michael A. Roberts

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